

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YITZCHOK SHTEIERMAN,

Plaintiff,

v.

HILLEL FISHER, *and* ISRAEL MEIR
FARKASH,

Defendants.

No. 24-CV-3978 (KMK)

ORDER

KENNETH M. KARAS, United States District Judge:

On October 29, 2024, the Court vacated the entry of default, (Dkt. No. 36), and ordered Defendants Hillel Fisher and Israel Meir Farkash to provide their current home and business addresses within 10 days. (*See* Order (Dkt. No. 46) at 3.) On October 31, 2024, Fisher filed a motion letter to transfer venue. (Dkt. No. 47.) On November 11, 2024, the Court ordered that each Defendant file a letter by November 20, 2024, listing their addresses to facilitate service. (*See* Order (Dkt. No. 49).) On November 18, 2024, Farkash filed a letter motion to reconsider the Court's October 29 and November 11 Orders. (Dkt. No. 50.)

Owing to the solicitude generally shown pro se parties, the Court will construe Fisher and Farkash's letter motions as providing their addresses in compliance with its Orders. Accordingly, Plaintiff is instructed to properly serve Defendants by no later than December 30, 2024. Once served, Defendants shall answer or otherwise respond to the Complaint within 21 days of the date of service, as per Federal Rule of Civil Procedure 12(a)(1). In the event that Plaintiff fails to properly serve Defendants by the above deadline, the Court will take up Defendants' motions and may dismiss Plaintiff's claims for failure to prosecute. *See* Fed. R.

Civ. P. 41(b) (permitting dismissal of an action for failure to prosecute); *Murphy v. L.A. Spaulding et al.*, No. 20-CV-9013, 2020 WL 1063138, at *1 (S.D.N.Y. Mar. 30, 2022) (dismissing case brought by pro se plaintiff for failure to prosecute); *Armstrong v. Guccione*, 470 F.3d 89, 103 n.1 (2d Cir. 2006) (noting that “a federal district court has the inherent power to dismiss a case sua sponte for failure to prosecute” (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–32 (1962))).

SO ORDERED.

Dated: November 22, 2024
White Plains, New York

A handwritten signature in black ink, appearing to read 'K. Karas', written over a horizontal line.

KENNETH M. KARAS
United States District Judge